

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14478 of Clark McFadden and Mary Wagner, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the rear yard requirements (Sub-section 3304.1) to construct an addition to single family dwelling in an R-1-A District at premises 4824 Dexter Terrace, N.W., (Square 1380, Lot 800).

HEARING DATE: September 24, 1986

DECISION DATE: September 24, 1986 (Bench Decision)

FINDINGS OF FACT:

1. The site, known as premises 4824 Dexter Terrace N.W. is located on the south side of Dexter Terrace. It is in an R-1-A District.
2. The site is wedge shaped with an area of 12,092 square feet. The site is improved with a two and a half story brick Georgian Revival home build in 1950.
3. The R-1-A District extends in all directions from the site. The surrounding neighborhood is developed primarily with single family detached dwellings.
4. Pursuant to Paragraph 8207.11 of the Zoning Regulations the applicants are seeking a variance from the rear yard requirements (Sub-section 3304.1) to construct an addition to the structure.
5. The house is located on the crest of a steep hill. The land rises 31 feet along the southern border of the property line and 17 feet along the eastern border. Because of the large percentage of steeply-sloping land most of the property is given over to the front yard of the house, with the house sitting relatively far back into the rear yard area against the property line where the yard is relatively flat yet shallow.
6. Because of the wedge-shaped configuration of the lot, the eastern border of the lot runs on an angle to the house with the depth of the rear yard varying from approximately nine feet four inches to thirty-two feet ten inches.
7. The over-all length of the rear yard along this property line, is 147 feet, eight and three-quarter inches.

The length of the rear of the house is eighty-one feet, six inches.

8. The over-all length of the proposed addition is 21 feet, four inches, or approximately one-seventh of the length of the rear yard. The proposed addition is approximately two percent of the entire lot size.

9. The essence of the existing house is its strict symmetry, particularly as perceived from the front of the house. The wings are symmetrical on either side of the center pavilion.

10. The driveway to the house cuts into the side of the hill from the north. The garage is at the basement level. The present kitchen and the dining room and the other living spaces are at the first-floor level.

11. The kitchen is a small galley-type kitchen eight-feet in width. A formal dining room provides the only access to the kitchen from the interior. The kitchen doesn't have space to accommodate a counter for family eating space or a dinnette table. The kitchen now overlooks the driveway.

12. The rear yard comes to its narrowest point at the dining room/kitchen wing where the kitchen door has a side door which opens to steep stairs that lead down to the driveway.

13. The kitchen at present has no access to the rear yard and doesn't relate to it in any way, except through the door at the stairs.

14. To accommodate a family with growing children, the applicants would like to have a larger kitchen with an informal dinnette which would have access to the rear yard and take advantage of the only relatively flat terraced, private area adjacent to the house.

15. The addition being proposed at the narrowest end of the rear yard steps back along the property line. The flat roof over the kitchen addition fronts onto Dexter Terrace and keeps the facade from appearing at all imposing from the floor below.

16. The kitchen addition with its peaked roof harmonizes with the style of the rear elevation of the house and is the most prominent facade facing the rear yard down its length with an arched glaze opening.

17. In order to ensure the neighbors' as well as the owners' privacy no windows are planned for the eastern

elevation which faces the neighbor's driveway and garage entry at the basement level.

18. The addition is a one-story addition to a two-story rear yard elevation. The kitchen addition extends ten feet, seven inches from the dining room; the dinnette extends ten feet, five inches from the present living room and 13 feet in total. The over-all length of the dinnette is 12 feet and the kitchen nine feet, four inches, making that total length 21 foot, four inches or a total of 241 square feet added on to the house.

19. To place the proposed addition to the north would mean building over the driveway, which would be costly and unsightly from neighbors' homes and from the street and would destroy the symmetry of the front elevation.

20. Advisory Neighborhood Commission 3D filed no report on the subject application.

21. Owners of property neighboring the site submitted letters to the record in support of the application.

22. There was no opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the applicants are seeking an area variance the granting of which requires a showing through substantial evidence of a practical difficulty upon the owner arising out of some unique or exceptional condition of the property such as exceptional narrowness, shallowness, shape or topographical conditions. The Board further must find that the relief requested can be granted without substantial detriment to the public good and that it will not substantially impair the intent of the zone plan. The applicants are seeking a variance from Sub-section 3304.1 which requires a rear set back of 25 feet. The proposed addition will provide a rear yard with an average depth of 12.61 feet which necessitates a variance of 12.39 feet, or 49.56 percent. The Board concludes that the applicants have met the burden of proof.

The site is affected by unusual topography. The steep slopes of front yard and the limited level ground restrict the buildable area for the site. The location of the proposed addition to the rear of the structure will have the least impact on the neighborhood and the appearance of the house. The addition will be located in the most logical space to harmonize with the interior circulation pattern. The Board further concludes that granting the proposed relief will not cause substantial detriment to the public


good and will not substantially impair the intent and purpose of the zone plan.

Accordingly, it is hereby ORDERED that the application is GRANTED, SUBJECT to the CONDITION that construction shall be in accordance with the plans marked as Exhibits No. 10 and 16 of the record.

VOTE: 4-0 (John G. Parsons, William F. McIntosh, Paula L. Jewell and Carrie L. Thornhill to approve;  
Charles R. Norris not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
EDWARD L. CURRY  
Acting Executive Director

FINAL DATE OF ORDER:

OCT 28 1986

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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